

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

November 20, 2015

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, NOVEMBER 20, 2015, BEGINNING AT 9:04 A.M., WITH CHAIR MICHAEL B. WHITE PRESIDING.

CHAIR WHITE: This meeting of the Council of the County of Maui will please come to order.

Mr. Clerk, would you please call the roll.

ROLL CALL

PRESENT: COUNCILMEMBERS GLADYS C. BAISA, ROBERT CARROLL, ELEANORA COCHRAN, DONALD G. COUCH, S. STACY CRIVELLO, AND CHAIR MICHAEL B. WHITE.

EXCUSED: COUNCILMEMBERS G. RIKI HOKAMA AND MICHAEL P. VICTORINO, AND VICE-CHAIR DONALD S. GUZMAN.

COUNTY CLERK DENNIS A. MATEO: Mr. Chair, six Members are present. A quorum is present to conduct the business of the Council.

CHAIR WHITE: Thank you, Mr. Clerk.

And, this morning for our opening remarks we have Councilmember Elle Cochran. I said it nice and slow so you're ready to go.

OPENING REMARKS

The opening remarks were offered by Councilmember Elle Cochran.

CHAIR WHITE: Thank you, Ms. Cochran. I think you, you forgot to say, when you said friends, you forgot to say colleagues.

COUNCILMEMBER COCHRAN: Okay.

CHAIR WHITE: Although, you did look at us.

COUNCILMEMBER COCHRAN: Yes, I did. I acknowledged all my, yes.

CHAIR WHITE: Thank you very much for those thoughts.

COUNCILMEMBER COCHRAN: Thank you.

COUNCILMEMBER BAISA: I love it.

CHAIR WHITE: Will everyone please rise and recite the Pledge of Allegiance with me.

PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

CHAIR WHITE: And, before we proceed with the agenda, will you all please turn off your cellphones; put them on silent mode. And, I will check mine.

And, Mr. Clerk, please proceed.

COUNTY CLERK: Mr. Chair, proceeding with ceremonial resolutions.

CEREMONIAL RESOLUTIONS

RESOLUTION
NO. 15-141

CONGRATULATING CHELSEA ILORETA
GUZMAN FOR BEING CROWNED MISS HAWAII
FILIPINA 2015 AND CASEY N. SALES-SALCEDO
AS THE NEW MISS MAUI FILIPINA 2015

CHAIR WHITE: Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair.

I MOVE TO ADOPT THE RESOLUTION "CONGRATULATING
CHELSEA ILORETA GUZMAN FOR BEING CROWNED MISS
HAWAII FILIPINA 2015 AND CASEY N. SALES-SALCEDO AS
THE NEW MISS MAUI FILIPINA 2015".

COUNCILMEMBER COUCH:

MR. CHAIR, I SECOND.

CHAIR WHITE: We have a motion from Ms. Baisa and a second from Mr. Couch.

Ms. Baisa.

COUNCILMEMBER BAISA: Mr. Chair, I, may we please have the Clerk read the resolution
in its entirety?

CHAIR WHITE: So ordered.

Mr. Clerk.

(The resolution was read in its entirety.)

CHAIR WHITE: Thank you, Mr. Clerk.

Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair. And, thank you Clerk for the
reading of the resolution.

As you can see, these girls are extremely busy. This happened in July, and we've
had an incredible time trying to get both of them here in the chamber at
one time. So, here we are in November, and we finally got it together. But, I'm really
pleased that we are here to congratulate them publicly today.

They are two outstanding young women. You know, in the old days, when we talked
about beauty queens, we thought that all you had to be was pretty. But, that no
longer is the case. These women are intelligent. They've got the heart, they're

motivated, they are proud examples of Maui's women. And, I am very, very happy to acknowledge them today.

You know, their choice of careers is also interesting to me because we've got Chelsea who wants to be a registered nurse, and I can certainly identify with that, that having, you know, being a nurse having been my first career. That's a life of service, a different kind of service. And then, of course, we've got Casey who wants to be a legislator; and I'm going to recommend a good psychiatrist. But, you know, again a life of service, a different kind of service.

And, of course, I wish them both the best. I thank their parents and their supporters for all that they've done to bring them to this point. And, I know that they're going to represent us extremely well, both here and internationally as they travel, because they are certainly beautiful, talented, and have heart. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Baisa.

Members, other comments or thoughts?

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. This especially makes me feel good when I see a young person looking at getting into a legislative field. We need people like Chelsea; we really do. And, I would hope that as her life goes on, she would seriously consider public service. I can think of no better person that I would like having represented me when I'm retired. Thank you.

CHAIR WHITE: Thank you, Mr. Carroll.

Any further discussion, Members?

Well, I'd just like to offer my congratulations to both of you young ladies. And, it's not a surprise to any one of us here in the room that Maui shines through at the State level--

COUNCILMEMBER BAISA: Again.

CHAIR WHITE: --once again. We've had the Lahainaluna Boys and Girls Wrestling Teams bring home the State title for the first time. We've had so many other teams that have brought home the gold. And, we've had so many other individuals recognized at the State and national levels. So, you're following in a great tradition.

And we want to thank you very much for putting the energy and thought into running. Because, as Ms. Baisa said, it's no longer enough just to be pretty; you got to be really sharp. So, I congratulate you for putting all the time and effort into making it happen for yourselves and for your families, because it's, it's a good sign that you're focused and on your way to bigger and better things. And, I have both nurses and legislators in my family. So, anyway, congratulations, ladies.

And, with that, Ms. Baisa.

COUNCILMEMBER BAISA: Thank, no further comments, Chair; ready to vote.

CHAIR WHITE: Okay. All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND VICTORINO,
AND VICE-CHAIR GUZMAN.

CHAIR WHITE: Measure passes with six "ayes", zero "noes", and three "excused".

Ms. Baisa.

COUNCILMEMBER BAISA: Mayor, Mr. Chair, with your permission, I would like to call the honorees to the podium, to present them with the official copy of the resolution and their flowers, and also to hear a little bit from them, if you don't mind.

CHAIR WHITE: Absolutely.

COUNCILMEMBER BAISA: Girls. Can you girls join me here? We'd like to hear a little bit from you, if you don't mind. I'm sure you, you're not at a loss for words.

Go ahead, Chelsea.

MS. CHELSEA ILORETA GUZMAN: Aloha and good morning, Councilmembers and family members. I'd just like to say thank you for allowing Casey and I to be here, and for congratulating us on this prestigious accomplishment in life.

We're here today, as Councilmember Baisa said, not just because of our looks, but because of how much we've accomplished in life. And, I just, you know, would like to thank God that he has shaped us to become wonderful leaders of our community, and that he is shaping us into becoming very successful women of our community today. Thank you.

MS. CASEY N. SALES-SALCEDO: Hi everyone. I'm Casey, the Miss Maui Filipina. If you were to ask me, like, two years ago or one year ago if I would ever enter a pageant, I probably would have said no. So, for me to be here and have this opportunity, and this great buzzing, and really recognition is, I think, it's so important that people recognize now that pageants aren't only about being pretty. It's a full on character, well-roundedness, service kind of aspect, and a whole new dimension to a person. And, I totally recognize and appreciate that now.

I love this platform and I love the fact that we get to use it to actually do productive things with our future, and move on, and influence other people, or other young people to even do productive things with their future also. I intend on using this, not only to do community work and charity work, but really as a mobile in my pursuit of working in the legislature and other things that I may want to do within the community and maybe even the world, because we're traveling a lot.

Thank you so, so, so much for this opportunity. And, thank you for your kind words and advice. I will definitely take heed to them. And, have a nice day. Thank you.

COUNCILMEMBER BAISA: I'd like to thank the young women, women, and if we could please turn the camera. Family, would you stand up. You're the proud backing of all this that made it happen. Let's give you a hand.

Thank you very much. And, congratulations, girls. And, thank you to my colleagues for the recognition. Thank you.

CHAIR WHITE: Thank you, Ms. Baisa.

Mr. Clerk, please proceed.

COUNTY CLERK: Mr. Chair, for the record, RESOLUTION 15-141.

Mr. Chair, proceeding with the presentation of, on testimony on agenda items. We have established limited interactive communication that enables individuals from Hana, Lanai, and Molokai to provide testimony from our District Offices.

Individuals who wish to offer testimony from Hana, Lanai, and Molokai, should now sign up with the District Office staff. Individuals, who wish to offer testimony in the chamber, please sign up at the desk located on the eighth floor lobby just outside the chamber door. And, testimonies at all locations is limited to the items listed on today's agenda.

And pursuant to the Rules of the Council, each testifier is allowed to testify for up to three minutes, with one minute to conclude if requested. And when testifying, please state your name and the name of any organization you represent.

Hana Office, please identify yourself and introduce your first testifier.

MS. DAWN LONO: Good morning, Chair. This is Dawn Lono at the Hana Office and I have no one waiting to testify.

COUNTY CLERK: Thank you.

Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai and there is no one waiting to testify.

COUNTY CLERK: Thank you.

Molokai Office, please identify yourself and introduce your first testifier.

MS. ELLA ALCON: Good morning, Chair. This is Ella Alcon on Molokai and there is no one here waiting to testify.

COUNTY CLERK: Thank you. Mr. Chair, we have no one signed up to testify in the Council chamber.

CHAIR WHITE: Thank you, Mr. Clerk.

Members, we've received some written testimony, and without objections, we'll enter it into the record.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY
RECEIVED FROM THE FOLLOWING WERE MADE A PART
OF THE RECORD OF THIS MEETING:

1. Eleven Letters from Various Individuals Submitted by
Presiding Officer Pro Tempore Michael P. Victorino; and
2. Jim Smith.

CHAIR WHITE: And, since we have no one waiting to testify, without objections, we'll close
public testimony.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you very much. So ordered.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with the minutes.

MINUTES

The minutes of the Council of the County of Maui's regular meeting of September 18, 2015.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: I would like to request, I'm sorry.

I WOULD LIKE TO REQUEST THE ADOPTION OF THE
REGULAR MINUTES OF THE SEPTEMBER 18, 2015
MEETING.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Ms. Crivello and a second from Mr. Couch.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Nothing further. Thank you, Chair.

CHAIR WHITE: Thank you.

Any further discussion on the minutes, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND VICTORINO,
AND VICE-CHAIR GUZMAN.

CHAIR WHITE: Measure passes with six "ayes", zero "noes", and three "excused";
Members Hokama, Guzman, and Victorino.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with committee reports.

COMMITTEE REPORTS

COMMITTEE REPORT

NO. 15-162 - PLANNING COMMITTEE:

Recommending the following:

1. That Bill 79 (2015), entitled "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 19.27A, MAUI COUNTY CODE, RELATING TO PARK DISTRICTS, AND REPEALING CHAPTERS 19.27 AND 19.615, MAUI COUNTY CODE, RELATING TO MAUI CENTRAL PARK DISTRICT AND PARK DISTRICTS," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 14-312, from the Planning Director, be FILED.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN
COMMITTEE REPORT 15-162.

COUNCILMEMBER COCHRAN:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Couch and a second from Ms. Cochran.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. Your Committee met three times on September 3, 2015, September 24, 2015 and November 5, 2015, to review a proposed, proposal to update the County's zoning provisions relating to park districts and to consolidate the provisions into a single chapter within the Comprehensive Zoning Ordinance.

The revised proposed bill will eliminate the Maui Central Park District. The proposed new Chapter 19.27A, Maui County Code, will provide all park uses and standards.

The revised proposed bill changes the zoning of all parks within Maui County to either "Park" or "Golf Course". It used to be PK-1, PK-2, PK-3, and PK-4, which nobody knew what that meant. So, it's either "Park" or "Golf Course".

Your Committee recommended passage of the revised proposed bill on first reading, and filing of the communication.

I respectfully ask for the Council's support of your Committee's recommendation. Thank you, Chair.

CHAIR WHITE: Thank you, Mr. Couch.

Members, any further discussion on this measure? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND VICTORINO,
AND VICE-CHAIR GUZMAN.

CHAIR WHITE: Measure passes with six "ayes", zero "noes", three "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, BILL NO. 79 (2015).

COMMITTEE REPORT

NO. 15-163 - POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE:

Recommending the following:

1. That Resolution 15-142, entitled "APPROVING FOR INCLUSION IN THE 2016 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL PROHIBITING SMOKING IN MOTOR VEHICLES OCCUPIED BY MINORS," be ADOPTED;
2. That Resolution 15-143, entitled "APPROVING FOR INCLUSION IN THE 2016 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL TO ALLOW PERSONS WITH DISABILITIES TO INDICATE ON THEIR IDENTIFICATION CARDS THEIR DISABILITY," be ADOPTED;
3. That Resolution 15-144, entitled "APPROVING FOR INCLUSION IN THE 2016 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL THAT PROHIBITS THE SALE OF MARINE LIFE SECURED BY A SPEAR," be ADOPTED; and
4. That Resolution 15-145, entitled "APPROVING FOR INCLUSION IN THE 2016 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL AUTHORIZING COUNTY LIQUOR COMMISSIONS TO PROVIDE FUNDING FOR ALCOHOL ABUSE TREATMENT AND PREVENTION," be ADOPTED.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

ON BEHALF OF COMMITTEE CHAIR VICTORINO, I MOVE
TO ADOPT THE RECOMMENDATIONS IN COMMITTEE
REPORT 15-163.

COUNCILMEMBER COCHRAN:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Couch and a second from Ms. Cochran.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. Your Committee met on October 12, 2015, to consider the inclusion, for inclusion in the 2016 Maui County Legislative Package, various State bills.

The four proposed bills recommended for inclusion are respect, respectively to: 1) prohibit smoking in motor vehicles occupied by minors; 2) allow individuals to indicate their disabilities on State identification cards; 3) prohibit the sale of marine life secured by a spear; and 4) authorize county liquor commissions to provide funding for alcohol abuse treatment and prevention.

Your Committee discussed the merits of the proposed bills, especially noting that: 1) a ban on smoking in vehicles occupied by minors is a step towards safeguarding the health of youth; 2) allowing individuals the choice to have their disability stated on state identification cards could provide qualified persons more convenient access to certain public services and provide relevant information to medical personnel in case of an emergency; and 3) there is a need for protection of Hawaii's threatened marine resources; and 4) the relationship of alcohol abuse to crime and the need to provide funding for alcohol abuse treatment and preventions for residents.

The proposed bills would go far to address these issues. And, Mr. Chair, while these are all in one package, and I support the package, I just wanted to note that several of us voted "no" on a couple of, one of the things, and that was prohibit smoking in, in motor vehicles occupied by minors. But, because it is a package, and I don't want to have to deal with pulling things out and whatnot, I'm happy to support the whole package.

CHAIR WHITE: Thank you, Mr. Couch.

Is there any other discussion on this item? Seeing none, all those in favor, please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND VICTORINO,
AND VICE-CHAIR GUZMAN.

CHAIR WHITE: Measure passes with six "ayes", zero "noes", and the same Members "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION NOS. 15-142, 15-143, 15-144, and 15-145, respectively.

Mr. Chair, proceeding with county communications.

COUNTY COMMUNICATION

NO. 15-280 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated November 4, 2015)

Informing of the acquisition of a 2006 Toyota Tacoma from the State Department of the Attorney General.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

I MOVE TO FILE COUNTY COMMUNICATION 15-280, ON
BEHALF OF COMMITTEE CHAIR VICTORINO.

COUNCILMEMBER COCHRAN:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Couch, with a second from Ms. Cochran.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. This is a communication from the Chief of Police, dated November 4, 2015, advising the Maui Police Department has acquired a 2006 Toyota Tacoma from the State Department of Attorney General.

The communication is made pursuant to Council Resolution 90-82, authorizing the Administration to receive property from the State, provided it is reported to the Council within sixty days of acceptance.

No legislative action is required, therefore, I ask the Council's support of this motion.

CHAIR WHITE: Thank you, Mr. Couch.

Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND VICTORINO,
AND VICE-CHAIR GUZMAN.

CHAIR WHITE: Measure passes with six "ayes" and zero "noes".

Mr. Clerk.

NO. 15-281 - DAVID TAYLOR, DIRECTOR OF WATER SUPPLY,
(dated November 4, 2015)

Transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending October 2015.

CHAIR WHITE: Ms. Baisa.

COUNCILMEMBER BAISA: Thank you, Chair.

I MOVE TO FILE THE REPORT.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion to file from Ms. Baisa, and a second from Mr. Couch.

Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair. This is a routine report that we regularly file, and is available for anyone who would like to take a look at it. Thank you.

CHAIR WHITE: Thank you.

Members, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND VICTORINO,
AND VICE-CHAIR GUZMAN.

CHAIR WHITE: Measure passes with six "ayes" and zero "noes".

Mr. Clerk.

NO. 15-282 - MIKE WHITE, COUNCIL CHAIR,
(dated November 9, 2015)

Transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF STEVEN SELEE AS A LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES".

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

ON YOUR BEHALF, I MOVE TO ADOPT THE PROPOSED RESOLUTION ENTITLED "APPROVING THE APPOINTMENT OF STEVEN SELEE AS A LEGISLATIVE ANALYST IN THE OFFICE OF COUNCIL SERVICES", AND FILE THE COUNTY COMMUNICATION.

COUNCILMEMBER BAISA:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Couch, and a second from Ms. Baisa.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. Steven Selee is an outstanding candidate for the position of Legislative Analyst.

He has an Engineering degree from Stanford University, and has a broad range of professional experience in business management and technology. As revealed in the Council's extensive recruitment and evaluation process, Steve is a strong writer, has skill and interest in research and, and analysis, and will be a very positive addition to the staff.

I recommend the appointment of Steven Selee as a Legislative Analyst in the Office of Council Services and respectfully request your support of this resolution.

CHAIR WHITE: Thank you, Mr. Couch.

And, I would like to add my accolades to Mr. Selee. He will be a great addition to our staff. Thank you for applying.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. I, I would like to, at this time, go on record that I, I won't support your resolution, Mr. Chair. And, and allow me to comment on this.

And, you know, nothing directly personal with Mr. Selee, but, I am trying to understand OCS pay formula. Number one, it's noted in the resolution that the pay for Mr. Selee is a CR-5G. And, you know, for a newly hired at such a high pay scale, I cannot help but compare that to an employee that has had eight years in a Legislative branch and started at a lower pay scale of "C"; with six years as an Executive Assistant and two years in OCS. So, I'm trying to understand how does a newly recommended hire fit into this entry boots, into our government culture with no, no County legislative background.

And, I'm curious too that how many applicants actually submitted, and then we had ended up with four finalists for a Legislative and Budget Analyst. So, how are we going to regroup to fulfill this, and at the same time, probably, the, the existing or the Legislative Analyst will probably be part of the training; I'm not sure.

So, I am just looking at trying to compare, you know, how the formula comes out for one hire and compared to another hire who has had all the background. And, I, for that reason, I, and because of the high pay scale of this new entry, new hire, I cannot support this resolution. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Crivello. And, we're, be happy to spend time with you on the, the calculations.

Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: COUNCILMEMBER CRIVELLO.

EXCUSED: COUNCILMEMBERS HOKAMA AND VICTORINO,
AND VICE-CHAIR GUZMAN.

CHAIR WHITE: Measure passes with five "ayes", one "no", and three "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 15-146.

Mr. Chair, the following County Communications are recommended to the following Committees as noted:

NO. 15-283 - ALAN M. ARAKAWA, MAYOR,
(dated November 2, 2015)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE, RELATING TO COUNTY SURCHARGE ON STATE GENERAL EXCISE AND USE TAX".

The recommended action is that County Communication No. 15-283 be referred to the Budget and Finance Committee.

NO. 15-284 - SANANDA K. BAZ, BUDGET DIRECTOR,
(dated October 30, 2015)

Transmitting the Budget Implementation Report as of September 30, 2015 (Fiscal Year 2016 First Quarter).

The recommended action is that County Communication No. 15-284 be referred to the Budget and Finance Committee.

NO. 15-285 - MICHAEL P. VICTORINO, PRESIDING OFFICER PRO TEMPORE,
(dated November 12, 2015)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 13.04.044, MAUI COUNTY CODE, TO PROHIBIT CONSUMPTION OF ALCOHOL AT WAIALE PARK, WAILUKU, MAUI, HAWAII".

The recommended action is that County Communication No. 15-285 be referred to the Economic Development, Energy, Agriculture, and Recreation Committee.

CHAIR WHITE: Thank you, Mr. Clerk.

Are there any objections to the referrals as read by the Clerk?

COUNCILMEMBER BAISA: No.

COUNCILMEMBER COUCH: Mr. Chair.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: May I request that the testimony transmitted by memo dated November 16, 2015, from Presiding Officer Pro Tem Michael P. Victorino, relating to County Communication 15-285, be attached to County Communication 15-285, for referral to the Committee?

CHAIR WHITE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Okay, so ordered.

Thank you, Mr. Couch.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with ordinances for second and final reading.

ORDINANCES

ORDINANCE NO. _____
BILL NO. 74 (2015)

A BILL FOR AN ORDINANCE AMENDING APPENDIX A
OF THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES -
SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2016,
PLAN REVIEW, PERMIT PROCESSING, AND INSPECTION
REVOLVING FUND

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. May I request that the Clerk also bring up Bill No. 75, 76, and 77 please?

CHAIR WHITE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 75 (2015)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE -
SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS,
DEPARTMENT OF PUBLIC WORKS
(STATE OF HAWAII DEPARTMENT OF HEALTH)

ORDINANCE NO. _____
BILL NO. 76 (2015)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE -
SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS,
DEPARTMENT OF THE PROSECUTING ATTORNEY
(STATE OF HAWAII GRANT-IN-AID (ACT 065 (15)))

ORDINANCE NO. _____
BILL NO. 77 (2015)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO THE OFFICE OF THE MAYOR,
ECONOMIC DEVELOPMENT PROGRAM,
DEPARTMENT OF PLANNING, ADMINISTRATION
AND PLANNING PROGRAM (WAILUKU FIRST FRIDAY EVENTS)

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

I MOVE TO PASS BILL NO. 74, 75, 76, AND 77 ON SECOND
AND FINAL READING.

COUNCILMEMBER COCHRAN:

AND, MR. CHAIR, I SECOND THOSE MOTIONS.

CHAIR WHITE: We have a motion from Mr. Couch, and a second from Ms. Cochran.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

Bill No. 74 amends Fiscal Year 2016 Budget, Appendix A, Part II, Special Purpose Revenues, by adding a proviso of 81,000 under the Plan Review, Permit Processing, and Inspection Revolving Fund for the purchase of three replacement vehicles for the

Department of Development Services Administration. The vehicles will replace the existing vehicles that have reached the end of their useful life, and will be used by the DSA to conduct construction and building inspections.

Bill No. 75 amends the Fiscal Year 2016 Budget, Appendix A, Part I, Grant Revenue by appropriating to the Department of Public Works \$10,000 in grant revenue from the State Department of Health. The grant funds are reimbursement for Complete Streets trainings conducted by Department of Public Works by FY 2015. The Department intends to use the funds to offset the cost of conducting Complete Streets training in Fiscal Year 2016.

Bill No. 76 amends Fiscal Year Budget 2016, Appendix A, Part I, Grant Revenue by appropriating to the Department of the Prosecuting Attorney \$150,000 in grant revenue from the State of Hawaii Grant-In-Aid. The grant funds will support the prosecution of cases by the department in drug and mental health courts.

The Prosecuting Attorney stated the funds would be allocated equally between drug and mental health courts, and will be used to purchase new equipment and software that are compatible with the systems used by the drug and mental health courts. Pay for prosecutors to attend trainings and conferences on drug and mental health treatment programs. Pay for the overtime cost incurred by existing clerical staff related to the handling of cases in the drug and mental health courts. Hire one additional clerical position as limited term appointment (LTA) to assist with drug and mental health court cases.

Bill No. 77 amends the Fiscal Year 2016 Budget by transferring funding for the Wailuku First Friday events from the Office of Economic Development to the Maui Redevelopment Agency under the Department of Planning. Moving the funds out of the Office of Economic Development ensures that the Wailuku First Friday events remain eligible to receive grant funds from the Hawaii Tourism Authority's County Product Enrichment Program during the current fiscal year.

I respectfully ask for the Council's support of all these bills. Thank you.

CHAIR WHITE: Thank you, Mr. Couch.

Members, any further discussion on these items? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, CRIVELLO, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND VICTORINO,
AND VICE-CHAIR GUZMAN.

CHAIR WHITE: Measure passes with six "ayes", zero "noes", and three "excused".

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 78 (2015)

A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE
ZONING ORDINANCE RELATING TO WET BARS IN DWELLING UNITS

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Mr. Chair, I request that Bill No. 78 and its item be remitted
back to Committee.

COUNCILMEMBER COCHRAN: Chair, I, oh, second the motion.

CHAIR WHITE: Does that need to be a motion?

COUNCILMEMBER COUCH: Does that need to be a motion?

COUNCILMEMBER COCHRAN: Is it? No, I don't know.

COUNCILMEMBER BAISA: Do it.

COUNCILMEMBER COUCH: I don't think so.

COUNCILMEMBER COCHRAN: Is it a motion? No.

COUNCILMEMBER BAISA: David.

DIRECTOR OF COUNCIL SERVICES DAVID RAATZ, JR.: It's the Chair's call, or ultimately the, the will of the body. It could be done by motion. Typically, referrals are done by consensus as well though.

CHAIR WHITE: Okay. Are there any objections to recommittal?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Thank you, Mr. Couch.

And with that, we've come to the end of our agenda, I believe.

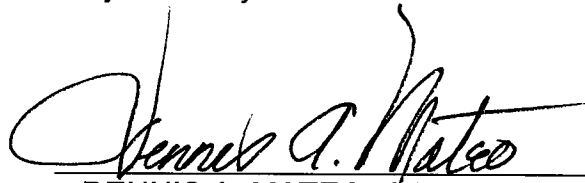
Mr. Clerk, is that correct?

COUNTY CLERK: That's correct, Mr. Chair. There's no further business before the Council.

CHAIR WHITE: Thank you very much, Members. And, with that, I would like to welcome Mr. Selee to our family. And, with that, we are adjourned.

ADJOURNMENT

The regular meeting of November 20, 2015 was adjourned by the Chair at 9:42 a.m.


DENNIS A. MATEO, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

RECEIVED

November 16, 2015

2015 NOV 17 AM 10:17

OFFICE OF THE
COUNTY CLERK

MEMO TO: Mike White, Council Chair

MPV

F R O M: Michael P. Victorino, Presiding Officer Pro Tempore

SUBJECT: **TESTIMONY TRANSMITTAL FORM RELATING TO ALCOHOL
PROHIBITION AT WAIALE PARK** (COUNTY COMMUNICATION 15-285)

Pursuant to Rule 17(C) of the Rules of the Council, the attached testimony is forwarded in connection with County Communication 15-285 on the November 20, 2015 Council agenda.

paf:cmn:15-214d

Attachments

September 28, 2015

Council Member Michael Victorino
Kalana O Maui Building
200 South High Street
Wailuku, HI 96793

4/16
Attachments
to paf: cma:
15-214d

RE: Waiale Park Alcohol Prohibition and HMOW Crosswalk Flashing Lights

Dear Council Member Michael Victorino:

This letter is to request your support for two suggested community improvements for the residents of Hale Makana O Waiale.

First, I respectfully request that Waiale Park be added to the list of parks where alcohol is prohibited. Recent illegal and violent activity is in large part attributed to individuals consuming alcohol in the park area. This is one step in the right direction toward making HMOW a safer community.

Second, the crosswalk fronting the main entrance to HMOW currently does not have any flashing lights. The increase in pedestrian traffic due to the new retail stores in the area makes this a particularly dangerous crossing, especially at night. I believe installing flashing lights, similar to those installed at the crosswalk fronting Ka Hale A Ke Ola, will make drivers more alert and reduce pedestrian accidents.

We know you have the best interests of all Wailuku residents at heart and we look forward to working closely with you to improve our community. Thank you in advance for your kind consideration of this request for support.

Sincerely,

Charlee SABAGALA

September 28, 2015

Council Member Michael Victorino
Kalana O Maui Building
200 South High Street
Wailuku, HI 96793

RE: Waiale Park Alcohol Prohibition and HMOW Crosswalk Flashing Lights

Dear Council Member Michael Victorino:

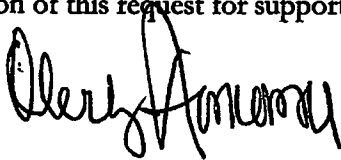
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Sincerely,


Jen Azuma Chmupalyk
808. 856. 6315

September 28, 2015

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Kalana O Maui Building
200 South High Street
Wailuku, HI 96793

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Sincerely,

Francis Ballard
Juan E. Ballard

September 28, 2015

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200 South High Street
Wailuku, HI 96793

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(CECILE BALLARD)

September 28, 2015

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Wailuku, HI 96793

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Sincerely,

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September 28, 2015

Council Member Michael Victorino
Kalana O Maui Building
200 South High Street
Wailuku, HI 96793

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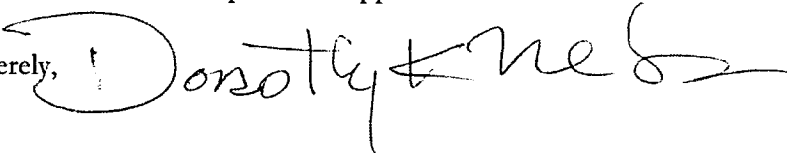
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Sincerely,

A handwritten signature in black ink, appearing to read "Dorothy K. Neilsen". The signature is written in a cursive, flowing style. The first name "Dorothy" is written in a larger, more prominent script, followed by "K." and "Neilsen". The signature is positioned to the right of the word "Sincerely,".

September 28, 2015

Council Member Michael Victorino
Kalana O Maui Building
200 South High Street
Wailuku, HI 96793

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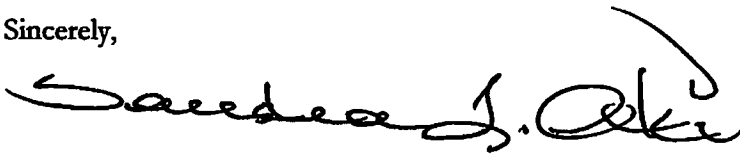
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Sincerely,

A handwritten signature in black ink, appearing to read "Sandra J. Oki". The signature is fluid and cursive, with a large loop at the end.

September 28, 2015

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200 South High Street
Wailuku, HI 96793

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September 28, 2015

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Sincerely,

Robert & Charlene SABA-GALA

September 28, 2015

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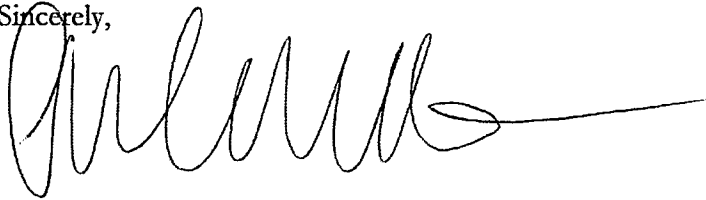
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Sincerely,

A handwritten signature in black ink, appearing to read "Michael Victorino", with a long horizontal flourish extending to the right.

TESTIMONY related to PC 15 - 162

X DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Jim or Belinda <2jbhome@hawaiiintel.net>

Thu 11/19/2015 8:07 PM

Mark as unread

To: County Clerk;

Council Chair person Michael White,
and Members of the Maui County Council

TESTIMONY:

From this neck of the woods, the reason for taking up the proposed repeal and adoption of provisions of our code as reflected in PC 15 - 162, does not inspire confidence in the importance of legislative policy making. The fact or fiction that the Director may feel the existing provisions of our code, cumbersome; may reflect a certain unpreparedness of the Director's part, than the presumption that a mistake has been made in the enactment of our current chapters. whose repeal some Members may think to be necessary.

Regardless of the reasoning, I am concerned about how the elimination of four types of park districts will impact our Citizen Advisory Committees as they contemplate community plan boundaries. It does not appear to have been considered and that to me is a limitation in justifying the recommendation from the Planning Committee. Further, in eliminating the Central Maui Park District, the development standards, particular to the Central Maui Park District are lost and that will impact neighboring property owners as evidenced in the not that distant past. e.g. the maximum height of a structure will change from 35 feet to 120 feet; commercial venues etc. and the minimum size of a park will change from one acre to ... whatever a Director feels good about.

I will try to attend and voice further concerns, but at this moment my attendance is unlikely. And so I request that the Committee Report 15 - 162 not be acted upon and that further review be taken up by the Planning Committee

Mahalo,

Jim Smith
11_19_15

RECEIVED
2015 NOV 20 AM 7:48
OFFICE OF THE
COUNTY CLERK